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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Burgess, et al.

Serial No.: 09/880,652

Filed: June 13, 2001

For: METHODS OF LABELLING  
BIOMOLECULES WITH  
FLUORESCENT DYES

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Group Art No. Not assigned

Examiner: Not assigned

Att'y Docket No.: 17575.0661

Client Docket No.: TAMUS 1277

RESPONSE TO NOTICE OF INCOMPLETE  
NONPROVISIONAL APPLICATION

Commissioner for Patents  
Washington, D.C. 20231

| CERTIFICATE OF EXPRESS MAILING  |                 |
|---|-----------------|
| NUMBER  | EL865848129US   |
| DATE OF DEPOSIT   | August 14, 2001 |
| I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231. |                 |
|   |                 |
| Signature   |                 |

Sir:

This replies to the Notice of Incomplete Nonprovisional Application mailed July 3, 2001.

A copy of the Notice is enclosed.

Enclosed is the declaration of inventors Kevin Burgess and Richard Gibbs for this application.

Enclosed are the drawings for this application.

Applicant hereby authorizes the Patent and Trademark Office to charge deposit account number 02-0383 for any charges necessary for the filing of this response.

Respectfully submitted,



Christopher J. Buntel, Ph.D.  
Reg. No. 44,573  
AGENT FOR ASSIGNEE,  
THE TEXAS A&M  
UNIVERSITY SYSTEM

Baker Botts L.L.P.  
One Shell Plaza  
910 Louisiana  
Houston, TX 77002-4995  
(713) 229-1992

August 14, 2001



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TRANSMITTAL LETTER

Commissioner for Patents  
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|    |                 |
| Signature   |                 |

Sir:

Applicant hereby submits the following document to be filed with the United States Patent and Trademark Office:

1. Response to Notice of Incomplete Nonprovisional Application dated July 3, 2001;  
and
2. Postcard.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

The Commissioner is authorized to debit our Deposit Account No. 02-0383 for any underpayment of fees which may be due in association with this filing under 37 C.F.R. §§ 1.16-1.18.



**Baker Botts L.L.P.**  
One Shell Plaza  
910 Louisiana  
Houston, TX 77002-4995  
(713) 229-1992

[illegible]

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/880,652         | 06/13/2001          | Kevin Burgess         | 017575.0661            |

Baker Botts, L.L.P.  
One Shell Plaza  
910 Louisiana  
Houston, TX 77002-4995



CONFIRMATION NO. 7332

## FORMALITIES LETTER



\*OC000000006257076\*

Date Mailed: 07/03/2001

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE